STATE OF NEW YORK

3765

2019-2020 Regular Sessions

IN ASSEMBLY

January 31, 2019

Introduced by M. of A. MAGNARELLI -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to registration information

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph (b) of subdivision 4 of section 202 of the vehicle and traffic law, as amended by chapter 293 of the laws of 1989, is amended to read as follows:

(b) [~~The commissioner shall notify each vehicle registrant that the registration information specified in paragraph (a) of this subdivision has been or will be furnished to the contracting party. The commissioner shall inform each vehicle registrant when such registrant first makes application for a vehicle registration or when such registrant applies to renew an existing vehicle registration how to achieve the deletion of such information from the contracting party's file.~~] The contract between the commissioner and the contracting party shall provide that, [~~upon the request of the registrant made in such manner and in such form as shall be prescribed by the commissioner,~~] such registration information shall be deleted from the contracting party's file for all purposes, except: [~~(i) issuance of manufacturer's warranty, safety recall or similar notices, or (ii) statistical complications.~~]

(i) issuance of manufacturer's warranty, safety recall or similar notices; or

(ii) for use in producing statistical reports and research activities, so long as the contracting party does not publish, redisclose, or use the personal information to contact individuals; or

(iii) to remove non-owner records from the original records of motor vehicle manufacturers; or

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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(iv) for use by any government agency, including any court or law enforcement agency or entity acting on behalf of a government agency in carrying out its functions; or

(v) for use in the normal course of business by a legitimate business or its agents or contractors, but only to verify the accuracy of personal information submitted by the individual for the purposes of preventing fraud; or

(vi) for use by any insurer or by a self-insured entity, or its agents, employees, or contractors, in connection with motor vehicle claims investigation activities, antifraud activities, rating or underwriting.

§ 2. This act shall take effect immediately and shall only apply to contracts executed on or after such effective date.